

Application No.: 09/816,839
Attorney Docket No.: TNX 00-04
Customer No.: 26839

REMARKS

Applicants hereby cancel claims 21, 31, 34, and 35 without prejudice or disclaimer to the subject matter contained therein. Applicants amend claim 19 to more particularly and distinctly claim that which Applicants regard as their invention.

Applicants request Rejoinder of claims 28-30 and 32-35. Under MPEP § 821.04, if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined. In view of the amendment to claim 19, Applicants assert that claims 19, 20, 22-24, and 27 are allowable (claims 25 and 26 having already been allowed). The subject matter of claims 28-30 and 32-35, as amended, depend from allowable claims and pertains to the same scope as the allowable claims in compliance with §821.04.

I. Rejection Under 35 U.S.C. § 112, First Paragraph

A) Claim 21 has been rejected as lacking written description. Applicants have canceled claim 21 without prejudice or disclaimer to the subject matter contained therein and reserve the right to file a continuation directed to such subject matter.

The cancellation of Claim 21 renders this rejection moot and Applicants request that the rejection be withdrawn.

B) Claims 19-24 and 27 have been rejected as lacking written description for the term "about". Applicants have amended claim 19 to delete this term, rendering this rejection moot. Therefore, Applicants request that the rejection be withdrawn.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the claims are in condition for Allowance and request a timely Notice indicating such. Applicants request that the Examiner call the undersigned to address any issues regarding the Rejoined claims to bring the Application into condition for Allowance.

Respectfully Submitted,

Dated: October 20, 2003.

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